Amendment Under 37 C.F.R. § 1.116 Attorney Docket No.: Q56708

U.S. Application No.: 09/437,246

REMARKS

Upon entry of this amendment, claims 1, 5-7, 10-25, 27, 29-32, 34, 36-44, 46, 47, 50, 53, 58-61 and 63 are all the claims pending in the application.

In the February 27, 2004 Office Action, the Examiner indicated that claims 1, 5-7, 10-25, 27, 29-32, 34, 36-44, 46, 47, 50, 53, 58-61 and 63 are allowed and that claims 51, 54-57 and 62 are rejected. Accordingly, Applicant has canceled the rejected claims 51, 54-57 and 62, without prejudice or disclaimer, to place the Application in condition for allowance. Therefore, the objection to claim 51 and the rejection under 35 U.S.C. § 102(e) are literally moot.

Applicant does not acquiesce to any inferences or presumptions drawn from the Examiner's statement regarding the reasons for allowance.

Applicant thanks the Examiner for acknowledging receipt of the Form PTO/SB/08 A & B filed with the Information Disclosure Statement on October 10, 2003. However Applicant requests that the Examiner initial the references (if not already initialed) listed on the PTO/SB/O8 A & B form filed with the Information Disclosure Statement on February 22, 2002 and submit in the next Office paper.

An Examiner's Interview Summary Record (PTO-413) was mailed on February 27, 2004. The PTO-413 requires applicant to file a Statement of Substance of the Interview. The Statement of Substance of the Interview is as follows. During the telephonic interview on February 2, 2004, the Examiner acknowledged the receipt of the Supplemental Amendment filed on October 23, 2003.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

21

Amendment Under 37 C.F.R. § 1.116

U.S. Application No.: 09/437,246

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

Registration No. 39,234

Attorney Docket No.: Q56708

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE 23373 CUSTOMER NUMBER

Date: April 5, 2004